

DOCUMENT RESUME

ED 063 441

UD 012 439

TITLE What's Happening With Title I? Public Education Association, Education Information Service, Volume 2, Number 8 Special.

INSTITUTION Public Education Association, New York, N.Y.

PUB DATE 1 Jun 72

NOTE 23p.

AVAILABLE FROM Public Education Association, 20 West 40th Street, New York, N. Y. 10018

EDRS PRICE MF-\$0.65 HC-\$3.29

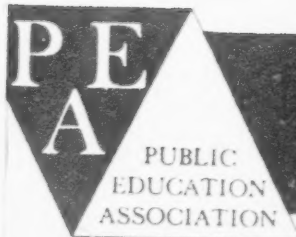
DESCRIPTORS *Administrative Problems; *Compensatory Education Programs; *Decentralization; Educational Resources; Federal Aid; *Federal Court Litigation; Federal Legislation; Financial Support; Program Administration; Resource Allocations; School Districts; School Support

IDENTIFIERS Elementary Secondary Education Act Title I; *New York City

ABSTRACT

On May 1, 1972, the Public Education Association held an Educational Forum on Title I, Elementary Secondary Education Act in an attempt to pinpoint and, if possible, clarify some of the major problems and issues, particularly as they relate to New York City. In a decentralized school system, for example, which agency is the Local Educational Agency--that is, the local governing unit officially designated to receive and administer Title I funds? Targeting, or the giving of substantial aid to the highest concentration of eligible children, is another issue: Federal and State officials are challenging past targeting in New York City and are insisting that targeting rules be enforced. The guidelines' mandate on comparability requires that Title I aid supplement, not replace, local funds. As in targeting, comparability within a district would work very differently from comparability across the city as a whole. Other issues that will bear continuous scrutiny include: (1) "Follow the child," a regulation permitting Title I funds to follow children who voluntarily transfer out of Title I schools into non-Title I schools, but not those who are assigned to non-Title I schools; (2) restrictions in staffing; (3) targeting versus integration; and, (4) planning difficulties caused by annual funding and unworkable timetables. (Author/JM)

ED 063441



education
information
service

CORINNE WILLING, Information Director

20 WEST 40 STREET
NEW YORK, N.Y. 10018
212-524-3575

VOL. II, NO. 8 SPECIAL

JUNE 1, 1972

U.S. DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
OFFICE OF EDUCATION
THIS DOCUMENT HAS BEEN REPRO-
DUCED EXACTLY AS RECEIVED FROM
THE PERSON OR ORGANIZATION ORIG-
INATING IT. POINTS OF VIEW OR OPIN-
IONS STATED DO NOT NECESSARILY
REPRESENT OFFICIAL OFFICE OF EDU-
CATION POSITION OR POLICY.

CONTENTS

WHAT'S HAPPENING WITH TITLE I?

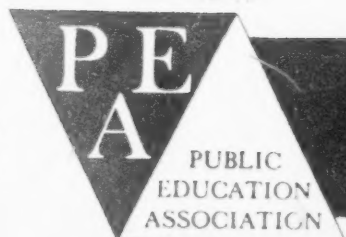
	Pages
PEA Review	1-4
Proposed Resolution for June 6 Hearing (text)	5-8
Targeting and the Distribution of Title I Funds in New York City	9-12
Comparability in ESEA Title I	13-16
D.F.P. Circular No. 16, 1971-1972 (text)	17-20
ESEA Title I Resources	21-22

NOTICES

Summer Address. Many people on PEA's mailing list regularly receive the Education Information Service material at school. If you are among this group and wish to receive possible PEA-EIS SUMMER SPECIALS, please send a post card with your name and an address for July and August only to Public Education Association, 20 West 40 St., New York, N.Y. 10018. Please print clearly, and be sure to include the zip code.

Upcoming. II-9, the final packet of this school year, will have an item on teachers' union contract, including UPA's summary of major UFT contract demands.

UD 012439



report

20 WEST 40 STREET

NEW YORK, N.Y. 10018

212-524-3575

Education Information Service II-8 SPECIAL

June 1, 1972

WHAT'S HAPPENING WITH TITLE I?

Many problems continue to emerge regarding the allocation and use of ESEA Title I (federal) funds. As this is being written at the end of May, for example, the new Title I allocation formula being proposed (see text, pp. 5-8) suggests that some districts will find substantial reductions in their Title I allocations; two districts (22 and 26) are eliminated altogether. In addition, it is reported that some Title I schools within federally funded districts in New York City will no longer be eligible to receive Title I aid. In order to understand what is happening and why it is happening, it is important to understand Title I's rationale and guidelines...and their defects and limitations.

Title I, designed to aid educationally and economically disadvantaged children, was initiated by Congress in 1965 with high expectations of finally finding a way to break the poverty-failure cycle. Today, seven years later, the Title I program is widely felt to be ineffective. Throughout the city and nation, the belief that Title I has made no demonstrable change has caused disillusionment, frustration, and anger on the part of those who had the most faith in it and the most need for its success. Part of the problem seems to lie in misinformation and confusion about the way in which this money is supposed to be spent; part of it may be caused by shortcomings in the program guidelines and procedures themselves; and part of it may, unfortunately, simply stem from blatant misuse of the funds by some school districts. In New York City, very special problems arise because of the fact that the federal guidelines do not address themselves to a decentralized school system.

The urgency of the job to be done, coupled with the huge amount of money involved--almost \$135 million per year in New York City alone--makes it unconscionable for the present state of affairs to continue.

PEA - EIS II-8
Title I-2

On May first, PEA held an Educational Forum on Title I in an attempt to pinpoint and, if possible, clarify some of the major problems and issues, particularly as they relate to New York City. The meeting featured an address by Richard Fairley, director of the Title I program in Washington, and was attended by state and local education officials, Title I coordinators and advisory council members, Community School Board members, and many other interested parents and citizens. At the Forum and at an informal meeting prior to it, there was discussion of problems held in common with other school districts as well as particular attention to new issues emerging from the relationship of Title I to New York City's decentralized school system--a structure which the federal guidelines had never contemplated.

Some of the issues discussed briefly here are treated more fully in the supplementary material at the end.

The LEA in a Decentralized School System

In a decentralized school system, which agency is the Local Educational Agency (LEA); that is, the local governing unit officially designated to receive and administer Title I funds? Present federal policies are designed for a three-tier system of educational governance (federal, state, and local), whereas the decentralized system consists of a four-tier system (federal, state, city, and local or community). Under a four-tier system like New York City's, some policies relating to LEAs clearly apply to the City Board and some to the Community Boards, a contingency not now allowed for in the three-tier federal guidelines.

This issue was sharpened by the recent New York State Appellate Division ruling upholding the lower court opinion in Community School District 3's suit against the Board of Education (see text of Dudley decision in PEA-EIS I-9, June, 1971). The Appellate Division's action again denied the city Board of Education's claim that to assure a unified educational policy for the city it controlled the use as well as the allocation of Title I funds for Community School Boards. Differences between the state court ruling and the federal guidelines remain unresolved, however. The federal guidelines require that whichever agency is designated the official LEA in order to receive funds must also fulfill the other responsibilities of the LEA in controlling and monitoring the use of these funds. The Decentralization Law,

PEA - EIS II-8
Title I-3

on which the District 3 suit was based and won, divides the functions of the LEA: it requires that the City Board be designated the LEA for the purpose of receiving funds (a designation that also has practical advantages for other federal grant programs), but also requires that the Community School Boards, not the City Board, control the use of the Title I funds allocated to them. Resolution of this conflict may require some modification of the federal guidelines.

Targeting (see "Targeting and the Distribution of Title I Funds in NYC," pp. 9-12)

Targeting means giving substantial aid to the highest concentration of eligible children, instead of giving some minimal aid to all eligible children. By requiring targeting, the federal guidelines prevent LEAs from giving some help to every child who is eligible to receive help. Many school systems reportedly do not comply with the targeting concept, which is poorly understood at best, and others resist it as being unfair and conducive to conflict within a district.

Federal and state officials are challenging past targeting in New York City and are insisting that targeting rules be enforced. What does this mean for the city: Should targeting within districts be determined on the basis of city-wide average concentrations of eligible children? Should the City Board or the Community School Boards be responsible for fulfilling targeting requirements within districts? How might differences in targeting affect the allocation of Title I funds among the community districts?

Comparability (see "Comparability in ESEA Title I," pp. 13-16)

The guidelines' mandate on comparability requires that Title I aid supplement, not replace, local funds. Thus it has a major impact on local expenditures in both Title I and non-Title I schools. As in targeting, comparability within a district would work very differently from comparability across the city as a whole.

Some believe that the comparability rule will still permit inequities between Title I and non-Title I schools unless it is implemented in accordance with optional state rules now allowed in the federal guidelines.

PEA - EIS II-8

Title I-4

Other issues that will bear continuous scrutiny include:

"Follow the Child." This is a regulation permitting Title I funds to follow children who voluntarily transfer out of Title I schools into non-Title I schools, for example, Open Enrollment children. However, a major problem for New York City is the federal regulation that prohibits Title I funds from following eligible children assigned to non-Title I schools. This requirement conflicts with zoning for integration and may be challenged on that basis.

Restrictions on Staffing. Staffing of Title I programs is a major problem in New York City where the UFT contract precludes staff choices on the basis of merit by requiring that all hiring be done in terms of city-wide seniority. Considering that the purpose of Title I is to break the poverty cycle through unusual action, this rigidity is resented by many who are demanding that this provision of the contract be challenged in the upcoming negotiations.

Targeting vs Integration. Requirements of targeting and nonsegregation trouble those Title I coordinators who find that their Title I eligible children are predominantly black or Puerto Rican. How can Title I funds be concentrated on these children, to the exclusion of the predominantly white ineligible children whose participation is necessary if programs are to be integrated? The rules do permit inclusion of other children, but their application is complicated.

Other major issues include planning difficulties caused by annual funding and unworkable timetables (see Circular No. 16, 1971-72, Division of Funded Programs, pp. 17-20) and the extremely serious problem of evaluations that do not evaluate but seem rather to benefit the evaluators alone.

A further problem stressed at the PEA Educational Forum meeting was the statement by many parents and coordinators present that they were being denied information and shut out of effective planning and decision making and that there was urgent need for a rapid and workable avenue of appeal.

REMINDER

Most of the foregoing issues are discussed in greater detail on the pages that follow.

PROPOSED RESOLUTION- FOR PUBLIC HEARING ON JUNE 6, 1972

AUTHORIZATION TO ALLOCATE 1972-73 ESEA Title I PLANNING MONIES

The Chancellor of the School District of the City of New York submits for adoption the following resolution, which will be considered for action by the Board of Education following a Public Hearing:

RESOLVED, That the Board of Education approve the distribution of \$125 million in Title I ESEA monies on a formula basis to districts and central offices, as indicated in the Table attached, for programs to provide services for eligible public and nonpublic school children from September 1, 1972 through August 30, 1973.

EXPLANATION

Under the decentralization law, the Board of Education is charged with the responsibility for determining a formula for the allocation of Title I funds after considering the recommendations of the Chancellor and consultation with the Community School Boards. This proposed resolution and the explanation therefor constitute the recommendations of the Chancellor. The proposed formula is in accordance with State and Federal guidelines as set forth by top-level state and federal officials in meetings held to clarify the applicable law and regulations. Consultations have been held with the Community School Boards.

The attached table for the distribution of funds reflects the following formula used in computing allocations:

1. The Pupil Information Survey Data, January 1971, was used to obtain the number of low-income children in New York City as compared with the total number of children, public and private, in the city as a whole to obtain the city-wide percentage of low-income children.
2. The Title I eligible public schools were determined by using each school's Pupil Information Survey data, January 1971, to determine whether that public school has a percentage of concentration of children from low-income families that is equal to or greater than the city-wide percentage.
3. A survey was issued to determine public school pupils at the 3 levels (elementary, junior, and senior high school) on optional assignments. Data are now being compiled.
4. The total number of educationally-disadvantaged public school pupils in Title I schools reading below minimum competency (24th percentile) at the 3 levels was determined by using the October 1971 State PEP test scores in reading (grades 3, 6, 9) for the elementary and junior high schools; the MAT reading scores at the 9th-year level, supplemented by scores on MATs given to all 10th-year students not tested previously, were used for the high schools.
5. Special reading tests administered by the two central offices servicing eligible pupils in special schools and in special education classes were used to determine pupils educationally deprived among these groups.
6. Using figures provided by SED (August '71) a total of 3,998 children were reported as eligible children in Institutions for Neglected and Delinquent.
7. The number of nonpublic school children eligible for services is being determined by a survey. Eligibility is based on residence in a public school Title I target area and educational deprivation.

PEA - EIS II-8
Title I-6

- 2 -

In order to arrive at a per capita for each eligible Title I public school child, the total number of educationally-deprived public school children in Title I eligible schools and children on optional assignments in these Title I schools was divided into the total amount of monies available after deductions were made for central administration, city-wide programs, and monies reserved for optional assignments; eligible nonpublic school children; et al. This yielded a tentative per capita of \$282.16, which is subject to change pending retrieval of additional data.

Federal regulations require that school boards involve parents, community representatives, and District/Central Advisory Councils for Reimbursable Programs in the planning, implementation, and evaluation of all Title I projects developed from these funds. Central proposals will also be presented to the City-Wide Advisory Council for review and recommendations prior to referral to the Chancellor and the Board.

All district proposals will be approved at a duly-constituted public meeting of the community school board prior to their submission to the Central Board for transmittal to Albany; all central proposals, at a public meeting of the Central Board of Education. Careful monitoring of all programs is expected to be carried out by district and central offices; monitoring will also be done by the City-Wide Monitoring Task Force.

PEA - EIS II-8
Title I-7

BOARD OF EDUCATION OF THE CITY OF NEW YORK

TABLE I

PROPOSED INITIAL DISTRIBUTION OF TITLE I, ESEA 1972-73 "PLANNING MONIES"
BASED ON A PARTIAL STATE ALLOCATION OF \$125,000,000.

TOTAL FUNDS AVAILABLE	<u>\$125,000,0</u>
1. <u>PLANNING MONIES FOR ELEMENTARY AND JUNIOR HIGH SCHOOL CHILDREN.....</u>	<u>\$ 97,612,0</u>
a. Planning Monies to Districts for Eligible Title I Schools	\$80,499,999
b. Planning Monies Reserved for Optional Assignments, Eligible Nonpublic School Children, et. al.	<u>13,017,220</u> \$93,517,219
c. Planning Monies for Citywide Programs	
(1) Follow Through	1,575,000
(2) Education-Pregnant Girls	1,421,514
(3) Bilingual Education	1,024,049
(4) Guggenheim Museum Program	<u>75,000</u>
	\$ 4,095,563
2. <u>PLANNING MONIES FOR HIGH SCHOOL-AGE CHILDREN.....</u>	<u>\$ 17,150,0</u>
a. Planning Monies for Eligible Title I High Schools	\$15,199,819
b. Planning Monies Reserved for Optional Assignments, Eligible Nonpublic School Children, et. al.	1,950,182
3. <u>PLANNING MONIES FOR SPECIAL SCHOOLS, SPECIAL EDUCATION AND INSTITUTIONALIZED CHILDREN.....</u>	<u>\$ 4,937,0</u>
a. Special Schools	\$ 1,635,682
b. Special Education	2,173,459
c. Institutionalized Children	1,128,076
Total Planning Monies for Eligible Children.....	\$119,700,0
4. <u>CENTRAL ADMINISTRATIVE SERVICES FOR ESEA TITLE I PROGRAMS</u>	<u>\$ 5,300,0</u>

GRAND TOTAL

\$125,000,0

PEA - EIS II-8
Title I-8
TABLE II

PROPOSED INITIAL DISTRIBUTION OF TITLE I, ESEA PLANNING MONIES*
TO COMMUNITY SCHOOL DISTRICTS FOR ELIGIBLE CHILDREN IN TITLE I SCHOOLS

<u>District</u>	<u>Number of Eligible Educationally Deprived Children In Title I Schools</u>	<u>Amount of Planning Monies</u>
<u>Manhattan</u>		
1	10,853	\$ 3,062,284
2	7,977	2,250,792
3	11,439	3,227,630
4	11,578	3,266,849
5	12,278	3,464,362
6	8,091	2,282,957
Total M	<u>62,216</u>	\$ <u>17,554,874</u>
<u>Bronx</u>		
7	18,743	\$ 5,288,528
8	13,573	3,829,759
9	18,623	5,254,667
10	9,924	2,800,158
11	3,386	955,394
12	19,248	5,431,017
Total X	<u>83,497</u>	\$ <u>23,559,523</u>
<u>Brooklyn</u>		
13	14,780	\$ 4,170,326
14	17,420	4,915,229
15	13,882	3,916,947
16	19,860	5,603,700
17	10,452	2,949,138
18	3,203	903,759
19	19,705	5,559,965
20	2,471	697,217
21	3,800	1,072,208
22	-	-
23	13,968	3,941,213
Total K	<u>119,541</u>	\$ <u>33,729,702</u>
<u>Queens</u>		
24	1,392	\$ 392,766
25	165	46,557
26	-	-
27	5,562	1,569,374
28	3,885	1,096,192
29	3,860	1,089,138
30	2,741	773,401
Total Q	<u>17,605</u>	\$ <u>4,967,428</u>
<u>Richmond</u>		
31	2,440	\$ 688,472
GRAND TOTAL	<u>285,299</u>	\$ <u>80,499,999</u>

* Based upon a tentative per capita of \$282.16 which may be subject to change pending the retrieval of additional data regarding optional assignments, nonpublic school children et. al., "Planning Monies" have been reserved for children under optional assignments, and eligible nonpublic Title I, ESEA children. While the tentative per capita allotment is \$282.16, State Guidelines require a \$400. per eligible pupil expenditure from Title I funds for the 1972-73 program year.

PEA - EIS II-8
Title I-9

TARGETING AND THE DISTRIBUTION OF
TITLE I FUNDS IN NEW YORK CITY

The purpose of Title I ESEA is to help meet the special educational needs of low-income, educationally disadvantaged children. This could be achieved in one of two ways: by allocating the same small amount of money for each eligible child or by concentrating financial resources on a limited number of eligible children. The federal government has adopted the latter course with the result that not all children eligible for Title I services can benefit by this legislation. In fact, nationally, two-thirds of Title I eligible children remain unserved.¹

Title I is a typical federal grant-in-aid program in which federal funds are distributed to the states by formula and the states then distribute funds to their school districts and administer the over-all Title I program. The New York City Board of Education enjoys the unique distinction in the state of getting almost all of its Title I money directly from Washington according to formula, although the state is in the same supervisory and administrative relationship to the city as it is to the rest of the state's school districts. Where this money is spent--in which community districts, in which schools and on how many children--is a complicated matter that in all likelihood will remain in dispute as long as Title I remains inadequately funded, for in New York City, as elsewhere across the nation, there are far more eligible students than can be serviced with existing appropriations.

The New York City School Decentralization Law has raised additional allocation and distribution problems that must also be resolved.

¹ 1971 Annual Report to the President and the Congress by the National Advisory Council on the Education of Disadvantaged Children ESEA Title I (p. 1).

PEA - EIS II-8
Title I-10

Presented here are, first, the basic policies and rules developed by the U.S. Office of Education to govern the distribution of funds within a school district and, second, the intricacies of Title I fund distribution within New York City.

GENERAL RULES:

Federal regulations require that each project proposal for Title I grants be designed for

educationally deprived children residing in a project area composed of school attendance areas having high concentrations of children from low-income families...The project itself shall be carried out at locations where the needs of the educationally deprived children can best be met. (45 CFR §116.17(a))

A school attendance area for either a public elementary or a public secondary school may be designated as a project area

[(a)] if the estimated percentage of children from low-income families residing in that attendance area is as high as the percentage of such children residing in the whole of the school district, OR

[(b)] if the estimated number of children from low-income families residing in that attendance area is as large as the average number of such children residing in the several school attendance areas in the school district. (45 CFR §116.17(d)).

A project area may include one or more attendance areas having high concentrations of children from low-income families, but the project area must be sufficiently restricted in size in relation to the nature of the project to avoid jeopardizing its effectiveness in meeting the aims and objectives of the project. (45 CFR §116.17(c))
[emphasis added]

PEA - EIS II-8
Title I-11

In addition to targeting the Title I money to certain children, the funds must not be spread over too many children. Given present appropriation levels and this concentration requirement, the result has been, as already noted, that Title I funds do not reach all eligible children. Program Guide #44 from the U.S. Commissioner of Education states:

The Title I program, if it is to have "sufficient size, scope, and quality to give reasonable promise of substantial progress," as required by the Act, must be concentrated on a limited number of children....The investment per child on an annual basis for a program of compensatory educational services which supplement the child's regular school activities should be expected to equal about one-half the expenditure per child from State and local funds for the applicant's regular school program. (p. 11)

In New York, the State Department of Education has interpreted this guideline to require a Title I expenditure of at least \$400 per child. This means that at least \$400 must be spent on each child who receives Title I services in a single program or as a participant in a variety of Title I funded projects.

Although the services must be provided in schools serving areas with high concentrations of low-income families, regulations provide that none of the educationally deprived children² in the Title I schools in need of the special services offered shall be denied the opportunity to participate in the projects on the ground that they are not children from low-income families. (45 CFR §116.17(f)) Title I funds may not be used to separate low-income children from the rest of the school population or stigmatize them with assignments to special, separate classrooms. In addition, if there is any voluntary or mandatory program to increase racial integration in a school district, a child who would ordinarily attend a Title I school must not be penalized for transferring to a non-Title I school. The Office of Education has advised that in such instances Title I funds

² The definition of "educationally deprived children" is based on federal, state, and local criteria and includes such categories as the handicapped and victims of negligence, delinquency and linguistic isolation.

PEA - EIS II-8
Title I-12

must "follow the child." In this connection, however, federal policy is now in a state of flux, especially since the recent Presidential statements and proposals for a moratorium on busing to achieve racial integration.

NEW YORK CITY:

New York City receives its Title I funds based on the number of "eligibles" residing in each of the five city counties (county lines coincide with borough lines). Under current federal regulations, if the City Board is considered to be the Local Educational Agency (LEA), targeting has to be done by the City Board and funds have to be allocated in accordance with federal regulations to Title I schools in target areas throughout the city, thus foreclosing distribution to the community school boards by a formula based on the number of disadvantaged students, as required in the Decentralization Law. (This is the targeting procedure now being proposed by the Board of Education for use in 1972-1973.) If the community school boards are considered to be the LEAs, however, each district becomes eligible for Title I funds based on the number of eligible children residing in the district--that is, by formula--and targeting becomes the function of the community school boards within the boundaries of their respective districts.

Present confusion in New York City arises from the fact that there is now a mixing of roles. The New York City School Decentralization Law of 1969 designated the City Board as LEA, but it also mandated distribution of Title I funds to community school boards by formula. Thus, New York State law requires a division of powers and responsibilities between the city and community district boards that current federal guidelines do not seem to permit.

PEA - EIS II-8
Title I-13

COMPARABILITY IN ESEA TITLE I

BACKGROUND:

The intent of ESEA Title I is to provide compensatory educational services for educationally disadvantaged children over and above the normal school program funded through state and local resources. From the beginning federal regulations have required that Title I services "supplement and not supplant" local resources. (45 CFR §116.17(h))

This regulation has been violated repeatedly. Many school districts across the nation have regularly used Title I funds as a substitute for local resources in certain schools. In order to end this misuse of funds Congress amended the Act in 1970 to require that school districts applying for Title I funds demonstrate the "comparability" of schools receiving Title I funds with non-Title I schools before the infusion of federal money.¹ The amendments provide that as of July 1, 1972, Title I applications from school districts that cannot demonstrate comparability (as defined below) are not to be approved. The two-year grace period from 1970 was considered ample time for all school districts to bring their spending patterns and budgeting systems into compliance.

DEFINITION OF COMPARABILITY:

When the Office of Education states that Title I and non-Title I schools must be comparable before the addition of Title I funds, it does not mean that a school board must spend the same amount, penny for penny, in every district school nor that each school must have identical cafeteria

¹ Federal aid to federally impacted areas outside of Washington, D.C., may be included with regular state and local resources in the comparability total.

PEA - EIS II-8
Title I-14

or classroom facilities. Federal regulations designate five criteria to define comparability:

1. The average number of pupils per full-time equivalent (FTE) classroom teacher.
2. The average number of pupils per FTE certified instructional staff member.
3. The average number of pupils per FTE non-certified instructional staff member.
4. The amounts expended per pupil for instructional salaries other than longevity pay; i.e., pay based on the number of years of experience.
5. The amounts expended per pupil for other instructional costs, such as the costs of textbooks, library resources, and other instructional materials.

(45 CFR §116.26(c))

In any school district the average of all non-Title I schools in each category is compared with the figures for each Title I school individually. Within a 5% range, the Title I schools must have pupil/staff ratios no higher than those for the average of non-Title I schools and per pupil expenditure levels no lower than those for the average of non-Title I schools. Only schools covering the same grade levels are compared. In this way each district is required to see that the schools serving low-income attendance areas and receiving Title I funds get at least as many staff per pupil and as much state and local money (again not counting longevity pay) as the average of all schools not receiving Title I funds.

LOOPHOLES:

The definition of comparability as set forth in Section 116.26(c) of Title 45 of the federal regulations does not in any way insure that ghetto schools in a school district are allocated the same amount of state and local dollars per child as the schools in richer areas of the same district. While

PEA - EIS II-8
Title I-15

any formula must allow for some variances to account for economies of size and variations in physical facilities, the federal criteria leave many loopholes.

No Comparison of Longevity Pay:

The most serious inequality of resource allocation, measured in dollars, comes from the exclusion of longevity pay in criterion (4) above. Although salary differentials based on academic preparation and merit qualifications are compared, salary differentials based on longevity are explicitly excluded. The case can be made that experience might have as much to do with effectiveness as preparation. However, whether or not a teacher's experience has any effect on his or her effectiveness as a teacher, it has been argued that longevity pay should be included in the standard to insure that at least in dollar terms, children in low-income areas receive as large a share of the tax-levy money for educational services as do their more affluent contemporaries.

Averaging in the Wrong Schools:

A second loophole is the process of averaging all non-Title I schools for use as the standard for comparison with Title I schools. The non-Title I schools may themselves vary widely and may even include schools that qualify for but are not receiving Title I funds, because of limited funding and concentration requirements (see statement on Targeting). These potential Title I schools may not be getting a fair share of the local and state resources, and averaging them in with ineligible schools can pull the district average down substantially. Use of an average makes it possible for the district to continue spending at a higher level in nonhetho area schools while at the same time meeting comparability requirements.

No Consideration of Costs for Special Educational Services:

The failure to distinguish expenditures for special educational services conducted in regular schools may also cloud the meaning of purported comparability in some districts. Special education classes for the handicapped or emotionally disturbed frequently entail smaller than normal pupil/teacher ratios and instructional staff with specialized training. Both add to educational costs. If special education classes are conducted largely or exclusively in low-income area schools, as is the case in many school districts, per pupil expenditures

PEA - EIS II-8
Title I-16

and pupil/staff ratios will be skewed upward in these units, making the Title I schools look as though they spend more tax-levy money on the average pupil than they actually do. When it occurs, this phenomenon also eases a district's ability to demonstrate or bring about comparability.

The Comparability Status of New York City:

As yet, no one, including the City Board of Education has been able to compile the statistics needed to determine whether New York City schools met the federal comparability test for the 1970-1971 school year. The collating process has not yet been completed.

As required by federal regulations, New York City has compiled comparability statistics for the 1969-1970 school year. These figures are not particularly helpful, however, because they do not reflect the distribution of all state and local funds, most notably State Urban Aid. The City Board expects the 1970-1971 statistics, which will include State Urban Aid funds, to demonstrate that New York City is in compliance with the federal comparability regulations.

However, if longevity pay were to be included in the comparability criteria for New York City, many city Title I schools would not meet the comparability requirements. This is because the teacher placement and transfer system in New York City has resulted, in many cases, in a high concentration of experienced teachers in schools serving the more affluent attendance areas and a high concentration of inexperienced teachers in schools located in relatively low-income areas.

Some Dollar Inequities Can Be Mitigated by Local Action:

The State Educational Agencies, which administer the Title I programs for the federal government, may, subject to the approval of the U.S. Commissioner of Education, develop more effective comparability standards for the Local Education Agencies (LEAs) within their jurisdiction. In some states, for instance, the state agency has included longevity pay as one of the criteria. This could be done for New York City, possibly requiring compliance on a phased basis so as to cushion the effect on schools having to reduce their percentage of high-salaried teachers. However, the New York State Department of Education has taken no action in instituting local criteria.

COPY

PEA - EIS II-8
Title I-17

COPY

BOARD OF EDUCATION OF THE CITY OF NEW YORK
DIVISION OF FUNDED PROGRAMS
110 Livingston Street, Brooklyn, New York 11201

D.F.P. CIRCULAR NO. 16, 1971-72

March 7, 1972

TO: Advisory Council

RE: Title I and Urban Education Proposals, 1972-73

The following procedures concerning the processing of proposals and modifications relating to 1972-73 Title I and Urban Education proposals confirm for the most part information presented previously by the State and Board program offices.

1. ALLOCATION OF FUNDS, 1972-73

1.1. Title I ESEA

Superintendents were advised in a memorandum from Mr. L. Pasquini, SED, dated February 1, 1972 that New York City has received an initial allocation of \$125,000,000 for 1972-73. It is expected that allocations, based on an approved formula, will be made shortly.

1.2. Urban Education

Notification has not been received from the State regarding the total allotment New York City will receive for 1972-73. It is anticipated that the amount will be approximately the same as for 1971-72; i.e., \$39,500,000; however, there is no guarantee of legislative approval.

2. PREPARATION OF PROPOSALS

2.1. Staff of districts and central offices were advised last fall to begin to consider the preparation of proposals for funding in 1972-73. This has also been emphasized at meetings of the City-Wide Advisory Council.

2.2. Even though allocations are not known, proposals should be prepared on 1971-72 allocations. Proposals can be ranked on the basis of priority with indications as to the budgetary adjustments to be made after allocations are received.*

2.3. New proposals or proposals to be recycled should be planned in light of:

2.3.1. Total funds anticipated from all sources (reimbursable, levy, private grants.)

PEA - EIS II-8
Title I-18

2.3.2. District/central office needs as reflected in the objectives set for 1972-73. In a memo of February 22, 1972, the Chancellor advised:

"We need to mount new programs which will provide new approaches though new risks will be involved. I urgently request that all efforts be coordinated to:

- Review new approaches in the concept of Youth Teaching Youth with recommendations for launching a massive program.
- Survey programs on the market which utilize the concept of individual levels, rates, and success with suggestions for implementing them on a large-scale effort.
- Gather information on "Open Learning" programs with a planned approach for implementing.

"This list is by no means complete and should be supplemented wherever possible. We must act now, utilizing the best talent and programs while our funding potential remains possible."

2.3.3. The evaluation reports on programs in operation. The contents of these reports should be carefully studied and made available to members of the Advisory Council, staff, and others interested in reviewing progress in relation to a particular program.

*The Board had advised last spring that 1971-72 marked the end of the 1/3 phaseout of central support for CEC, MES, Strengthening Early Childhood, 5 Primary Schools, and EEP. Information to the contrary has not been received.

Note: The State has advised that Title I programs are to be based on an expenditure of \$400 per child. This is a slight increase over last year's expenditures and reflects the federal-state regulation on concentration of services.

3. DUE DATES FOR SUBMISSION

3.1. Title I, 1972-73 (Funding year 9/1/72 through 8/31/73)

Proposals with the required forms are to be transmitted to the receiving office listed below by May 15, 1972 for transmittal to Albany on or before July 14, 1972.

Office: Title I Program Development Unit
141 Livingston Street, Brooklyn, New York 11201
15th floor (855-4664/5)

PEA - EIS II-8
Title I-19

3.2. Urban Education, 1972-73 (Funding year 7/1/72 through 6/30/73)

Proposals with the required forms are to be transmitted to the appropriate receiving office listed below by:

Summer 1972 proposals -- The State has set the date of April 15, 1972 for receipt in Albany. We realize allocations have yet to be made. Proposals, however, should be submitted to the appropriate office by March 15. Districts will have the privilege of modifying these in light of allocations.

School-year Proposals, 9/72 - 6/73 -- In receiving office listed below by May 1, 1972 for transmittal to Albany by July 1, 1972.

Urban Education: Quality Incentive Program
110 Livingston Street, Brooklyn, N.Y. 11201
Room 620 (596-1407/8)

Urban Education: Community Education Centers
110 Livingston Street, Brooklyn, N.Y. 11201
Room 643 (643-1505)

4. PROCESSING PROCEDURES

4.1. Receipt Form

Each proposal will be clocked in when received and the date of receipt as well as the presence of the appropriate forms noted on the receipt given to the bearer and mailed to the Community Superintendent. (See sample Receipt Form attached.) It is important that required forms be attached to each proposal at submission time in order that processing be expedited.

4.2. Initiation of Processing

4.2.1. Proposals are processed in order of receipt by the Area Associate and Budgeters assigned to the particular district and central office. Processing is for "Form Only," as approved by the Board of Education.

4.2.2. The appropriate New York State Title I or Urban Education Office is now solely responsible for approving all narrative aspects of the proposal, plus the budget.

4.3. Budgeting

4.3.1. The director of the office cited under Item 3 is responsible for the delivery of the proposal to the appropriate Budget Unit of the Bureau of Reimbursable Programs and for arranging for budgeting sessions by district/central staff. The director maintains a weekly log of these actions, which is open for district review at any time.

PEA - EIS II-8
Title I-20

- 4.3.2. The Budget Units are under the supervision of Mrs. Elizabeth Cagan, Bureau of Reimbursable Programs. Budget heads are as follows:

Title I - Max Kahn (625-5790)
Urban Education - Bernard Wertheim (834-9000)

The head of each Budget Development Unit maintains a detailed log open for review at any time on budgetary sessions planned, appointments kept by districts, length of appointments, personnel involved, progress in budgeting, and the date when the proposals are delivered to the appropriate director for signature by the Chancellor.

- 4.3.3. Following the budget session, the Budget Development Unit is responsible for completing the many details related to budgetary changes, as in the Urban Education Budget Development Unit, rechecking budgetary figures, confirming that the revised budget and narrative are now in agreement, typing the budget, xeroxing required copies of proposal, and transmitting these copies to the appropriate Board offices.

5. TRANSMITTAL TO ALBANY

- 5.1. The director of the appropriate Board office under Item 3 is responsible for sending proposals with a transmittal letter by courier or by certified airmail to the appropriate State office. The Community Superintendent and district coordinator receive a copy of the transmittal letter.
- 5.2. Prior to transmittal the director has the responsibility for confirming that the proposal is ready for signature by the Chancellor and for obtaining that signature.

6. ACTION BY ALBANY

- 6.1. Upon receipt of proposals in Albany, processing begins at the State level.
- 6.2. Procedures agreed on are as follows:

6.2.1. Requests for Addendum

The State will send the request for addendum needed in relation to a proposal directly to the Community Superintendent and to the appropriate Board director.

The District Coordinator or CEC Director providing the additional information requested by the State will send a carbon of the reply to the appropriate director at the Board. This action will be noted on the copy sent to the State.

PEA - EIS II-8
Title I-21

ESEA TITLE I RESOURCES

1. RESOURCE PEOPLE

U.S. Office of Education
Richard Fairley, Director
Division of Compensatory Education
Office of Education
Department of Health, Education and Welfare

Gus Cheatem
Office of Education
Regional Director for New York State (202) 963-7955

New York State Department of Education
Mr. Louis Pasquini, Coordinator of Title I ESEA
State Department of Education, Room 367
Albany 12224 (518) 474-1231

New York City Board of Education
Mr. Gene M. Satin, Director
Title I ESEA
Board of Education of the City of New York

2. GOVERNMENT PUBLICATIONS

Federal

Compilation of Legislation of Title I--Financial Assistance to Local Educational Agencies for the Education of Children of Low-Income Families reflecting the 1966, 1967 and 1970 Amendments (1971). DHEW Publication No. (OE) 72-40 Price: 75¢.

Title I ESEA Participation of Private School Children: A Handbook for State and Local School Officials (1971). DHEW Publication No. (OE) 72-62.

Questions and Answers: Programs for Educationally Deprived Children Under ESEA Title I (1971) DHEW OE-37071.

Title I ESEA Selecting Target Areas: A Handbook for State and Local Title I Officials (1971) DHEW.

It Works Series: Summaries of Selected Compensatory Education Projects (1970) DHEW, Superintendent of Documents Catalogue No. HE 5.237:37069.

History of Title I ESEA (1970) DHEW.

PEA - EIS II-8
Title I-22

Questions and Answers: Program for Neglected and Delinquent Children under ESEA Title I (1970) DHEW OE 37061.

State

ESEA Title I Guidelines, The State Education Department, Division of Education for the Disadvantaged, Title I, ESEA, Albany, N.Y. 12224, including bulletin: Program Priorities-- Title I, ESEA-Fiscal Year 1973--dated May 15, 1972, as pages 20 and 21 of Section III, Criteria and Priorities.

3. NONGOVERNMENT PUBLICATIONS

The 1971 Annual Report to the President and the Congress, Title I ESEA the Weakest Link: The Children of the Poor, National Advisory Council on the Education of Disadvantaged Children, 1717 H Street, Washington, D.C. 20006.

Parent Power & Title I ESEA, National Urban League, 55 East 52nd Street, New York, N.Y. 10022. (1971) Price: 30¢

Power to the People Through Title I? Maybe, Harvard Center for Law and Education, 38 Kirkland Street, Cambridge, Mass. 02138.

Title I in Your Community, NAACP Legal Defense Fund, Inc., 10 Columbus Circle, New York, N.Y. 10019 Price: \$1.50.

The Title I Situation, 1971, National Welfare Rights Organization, 1419 H Street, N.W., Washington, D.C. 20005.

Title I of ESEA, Is It Helping Poor Children?, Washington Research Project, 1823 Jefferson Place, N.W., Washington, D.C. 20036 and the NAACP Legal Defense Fund, Inc., 10 Columbus Circle, New York, N.Y. 10019.

A Litigation Packet for Title I ESEA, Harvard Center for Law and Education, 38 Kirkland Street, Cambridge, Mass. 02133 Price: \$3.00.